

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MARY JO ALTIMARI, Plaintiff, v. JOHN HANCOCK VARIABLE LIFE INSURANCE COMPANY, Defendant.	CIVIL ACTION NO. 02-2972
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ORDER

AND NOW, this 4th day of November, 2002, upon consideration of Defendant First Union Bank, a/k/a/ Wachovia Bank's Motion to Dismiss and the response thereto, it is hereby **ORDERED** that the Motion is **DENIED** without prejudice to renew the contentions for a Motion for Summary Judgment following the completion of discovery.

BY THE COURT:

MARVIN KATZ, S.J.